

# The Gazette of India



## EXTRAORDINARY

### PART II—Section 3

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#### MINISTRY OF STATES

#### NOTIFICATION

*New Delhi, the 31st March 1954*

**S.R.O. 1032.**—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Kutch, the Bombay Rents, Hotel and Lodging House Rates Control (Amendment) Act, 1953 (Bombay Act No. IV of 1953) and the Bombay Rents, Hotel and Lodging House Rates Control (Second Amendment) Act, 1953 (Bombay Act No. LXI of 1953), as at present in force in the State of Bombay, subject to the following modifications, namely:—

#### MODIFICATIONS

I. In the Bombay Rents, Hotel and Lodging House Rates Control (Amendment) Act, 1953—

(i) Section 2 shall be omitted;

(ii) In section 3 for the words and figure "In section 4 of the said Act" the words and figures "In section 4 of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 as extended to the State of Kutch" shall be substituted;

(iii) Section 4 shall be omitted.

II. In the Bombay Rents, Hotel and Lodging House Rates Control (Second Amendment) Act, 1953—

(i) in section 1, for sub-section (2) the following sub-section shall be substituted, namely:—

"(2) It shall come into force at once."

(ii) in section 2 after the figures "1947" the words "as extended to the State of Kutch" shall be inserted

(iii) Section 6 shall be omitted.

(iv) in section 7, sub-section (3) of section 10C shall be omitted;

(v) in section 17—

(a) in sub-section (1) in clause (II) of the proviso to sub-section (1) of section 29, the following shall be omitted, namely:—

"(i) where such suit or proceeding is instituted in Greater Bombay, Rs. 3,000, and

(ii) where such suit or proceeding is instituted elsewhere."

(b) sub-section (2) shall be omitted.

#### ANNEXURE

The Bombay Rents, Hotel and Lodging House Rates Control (Amendment) Act, 1953 (Bombay Act No. IV of 1953) and the Bombay Rents, Hotel and Lodging House Rates Control (Second Amendment) Act, 1953 (Bombay Act No. LXI of 1953) as amended by this notification.

## BOMBAY ACT No. IV OF 1953

*An Act to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.*

WHEREAS it is expedient to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. *Short title.*—This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Amendment) Act, 1953.

3. In section 4 of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 as extended to the State of Kutch, after sub-section (3), the following sub-section shall be added and be deemed always to have been added, namely:—

“(4) (a) The expression “premises belonging to the Government or a local authority” in sub-section (1) shall, notwithstanding anything contained in the said sub-section or in any judgment, decree or order of a court, not include a building erected on any land held by any person from the Government or a local authority under an agreement, lease or other grant, although having regard to the provisions of such agreement, lease or grant the building so erected may belong or continue to belong to the Government or the local authority, as the case may be; and,

(b) notwithstanding anything contained in section 15 such person shall be entitled to create a tenancy in respect of such building or a part thereof.”

## BOMBAY ACT No. LXI OF 1953

*An Act to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.*

WHEREAS it is expedient to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Second Amendment) Act, 1953.

(2) It shall come into force at once.

2. In section 3 of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 as extended to the State of Kutch hereinafter referred to as the said Act, in sub-section (2), for the figures “1954” the figures “1959” shall be substituted.

3 In section 4 of the said Act, in sub-section (2), for the words beginning with the words “to premises” and ending with the words “for such purpose” the following shall be substituted, namely:—

“(i) to premises used for a public purpose of a charitable nature or to any class of premises used for such purpose;

(ii) to premises held by a public trust for a religious or charitable purpose and let at a nominal or concessional rent; or

(iii) to premises held by a public trust for a religious or charitable purpose and administered by a local authority.”

4 After section 4 of the said Act, the following section shall be inserted, namely:—

“4A. *Power of State Government to issue orders in respect of premises belonging to local authority.*—Notwithstanding anything contained in this Act, the State Government may from time to time by a general or special order direct that the exemption granted to a local authority under sub-section (1) of section 4 shall be subject to such conditions and terms as it may specify either generally or for special reasons in any particular case and such conditions and terms shall be applicable to the premises belonging to the local authority with effect from such date either before or after the commencement of the Bombay Rents, Hotel and Lodging House Rates Control (Second Amendment) Act, 1953 (Bom. LXI of 1953), as the State Government may in its discretion determine.”

5. In section 5 of the said Act,—

(1) in clause (2), after the word “is” the words “by way of business” shall be inserted;